

ASSEMBLY BILL

No. 2704

Introduced by Assembly Member Gipson
(Coauthors: Assembly Members Brown, Burke, Cooper, Holden,
Jones-Sawyer, McCarty, Thurmond, and Weber)
(Coauthors: Senators Hall and Mitchell)

February 19, 2016

An act to add Section 14633 to the Government Code, relating to the State Capitol.

LEGISLATIVE COUNSEL'S DIGEST

AB 2704, as introduced, Gipson. State Capitol: Mervyn Dymally bust.

Existing law prescribes various duties for the Department of General Services in connection with development and maintenance of the park around the State Capitol Building.

This bill would authorize the Mervyn Dymally Memorial Capitol Foundation, upon establishment, in consultation with the Department of General Services, to plan a bust of Mervyn Dymally to be placed in the State Capitol Building Annex. The bill would require the Department of General Services and the Mervyn Dymally Memorial Capitol Foundation to approve the design and any other aspect of the bust. The bill would require that the planning, construction, and maintenance of the bust be funded with private donations through the Mervyn Dymally Memorial Capitol Foundation. The bill would prohibit construction of the bust until the Joint Committee on Rules has approved and adopted the plan for the bust, and the Joint Committee on Rules and the Department of Finance have determined that sufficient private funding is available to construct and maintain the bust.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 14632 is added to the Government Code,
2 to read:
- 3 14632. (a) The Mervyn Dymally Memorial Capitol Foundation,
4 upon establishment, may, in consultation with the Department of
5 General Services, plan a bust of Mervyn Dymally to be placed in
6 the State Capitol Building Annex.
- 7 (b) The Department of General Services, in consultation with
8 the Mervyn Dymally Memorial Capitol Foundation, shall
9 accomplish the following goals:
- 10 (1) Review the preliminary design plans to identify potential
11 maintenance concerns.
- 12 (2) Ensure Americans with Disabilities Act of 1990 (42 U.S.C.
13 Sec. 12101 et seq.) compliance and other safety concerns.
- 14 (3) Review and approve proper California Environmental
15 Quality Act (Division 13 (commencing with Section 21000) of
16 the Public Resources Code) documents prepared for work at the
17 designated historic property.
- 18 (4) Review final construction documents to ensure that all
19 requirements are met.
- 20 (5) Prepare the right-of-entry permit outlining the final area of
21 work, final construction documents, construction plans, the
22 contractor hired to perform the work, insurance, bonding,
23 provisions for damage to state property, and inspection
24 requirements.
- 25 (6) Prepare a maintenance agreement outlining the Mervyn
26 Dymally Memorial Capitol Foundation's responsibility for the
27 long-term maintenance of the bust due to aging, vandalism, or
28 relocation.
- 29 (7) Inspect the construction performed by the contractor selected
30 by the Mervyn Dymally Memorial Capitol Foundation.
- 31 (c) If the Mervyn Dymally Memorial Capitol Foundation
32 undertakes responsibility to construct a bust under this section, it
33 shall, in consultation with the Department of General Services,
34 establish a schedule for the design, construction, and dedication
35 of the bust, implement procedures to solicit designs for the bust,

1 devise a selection process for the choice of the design, and establish
2 a program for the dedication of the bust.

3 (d) The Department of General Services and the Mervyn
4 Dymally Memorial Capitol Foundation shall approve the design
5 and any other aspect of the bust.

6 (e) If the Mervyn Dymally Memorial Capitol Foundation
7 undertakes responsibility to construct a bust under this section, it
8 shall not begin construction of the bust until the Joint Committee
9 on Rules has approved and adopted the plan for the bust, and only
10 if the Joint Committee on Rules and the Department of Finance
11 have determined that sufficient private funding is available to
12 construct and maintain the bust.

13 (f) The planning, construction, and maintenance of the bust shall
14 be funded exclusively through private donations to the Mervyn
15 Dymally Memorial Capitol Foundation.

16 (g) If the Mervyn Dymally Memorial Capitol Foundation
17 undertakes responsibility to construct a bust under this section, it
18 shall sign a maintenance agreement with the state, as created under
19 paragraph (6) of subdivision (b), to maintain the bust with private
20 contributions.